



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,413	11/18/2001	William Ho Chang	FXT312	5528

7590
Edward B. Anderson
Kolisch Hartwell, P.C.
200 Pacific Building
520 S.W. Yamhill Street
Portland, OR 97204

09/14/2011

EXAMINER

BENOIT, ESTHER

ART UNIT	PAPER NUMBER
----------	--------------

2453

MAIL DATE	DELIVERY MODE
-----------	---------------

09/14/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/992,413	Applicant(s) CHANG ET AL.	
	Examiner ESTHER BENOIT	Art Unit 2453	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 131-200 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 131-200 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/10/2011 and 8/26/2011</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Amendments

1. This Action is in Response to an Amendment filed on June 17, 2011. Claims 131-142, 144-146, 148-149, 151-157, 159, 161-193, and 195-200 have been amended. Claims 131-200 are pending in this application.

Response to Arguments

2. Applicant's arguments with respect to claims 131-200 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 131-147, 172-179, and 189-194 remain rejected under 35 U.S.C. 112, second paragraph. The amendments do not alleviate the requirement for evidence of a structural relationship to the means for limitations. By merely stating, for example, "means for....., by a device..." does not render the "device" to be the corresponding structure of the means for step. Therefore, this does not suffice to alleviate the indefiniteness of the claims. Again, the examiner states claims 131, 172, and 177 are indefinite because the means for performing the claimed functions lack corresponding structures. It is not clear in the specification, which elements the means plus function claims can be implemented. Therefore, the claims are indefinite. See MPEP §2181.

Art Unit: 2453

Claims 132-147, 173-176, 178-179, and 189-194 do not provide any additional support for the structures of the “means for” limitations of claims 131, 172, and 177 and thus, are also indefinite.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 131-134, 136-141, 143, 146-173, 176-178, 180-183, 185, 187-195, and 197-200 are rejected under 35 U.S.C. 102(e) as being anticipated by Lapstun et al. (US 2009/0094457 A1). Claim 167 will be discussed first because it incorporates the limitations also found in independent claims 131, 148, 157, 172, 177, and 180.

With respect to claim 167, Lapstun discloses a data output security method for rendering output data corresponding to the output digital content at an output system, the output system includes with-an information apparatus for receiving device dependent output data from one or more servers over a network (Abstract), an output controller for decoding device dependent output data (Figure 15), and an output device for rendering device dependent output data (Figure 26), the output system comprising:

- establishing a communication channel between the output system and one or more servers over a network ([0012], *wireless connection to the network*);
- providing, by a client application over a graphical user interface at the output system, one or more pointers or references to the digital content for selection ([0077] and [0097], *printed tag to reference page description*); and
- receiving, by the client application, a selected digital content over the graphical user interface for rendering from among the one or more pointers or references to digital content ([0097]-[0101], *wireless pen is used to select tag associated with requested page description*); and
- generating, by the client application, a document object that includes a pointer or reference to the selected digital content ([0097], *printed tag*);
- delivering, from the output system, at least part of a document object and at least part of an output device object to the one or more servers ([0335], *request is sent to registration server to add printing authorization*), the one or more servers being distinct and separate from the output system the document object including a pointer or reference to the digital content for the one or more servers to retrieve the data content from a content server with the pointer or reference, and the output device object including at least identification information related to the output system ([0097], [0330]-[0331], and Figure 52, *authenticating a user with a specified printer*);

Art Unit: 2453

- sending, from the output system to the one or more servers over a network, security or authentication information associated with the user operating the output system for authentication of the user ([0330]-[0331], *authenticating the user*);
- sending, from the output system to the one or more servers, payment or subscription information for accessing the data output service provided by the one or more servers ([0361], *user stores payment card information at the registration server*);
- receiving, at the output system device dependent output data from the one or more servers ([0334]-[0335], *user is provided with a key by the registration server, where the key is used to print requested content*), the device dependent output data corresponding to the digital content and being related, at least in part, to the identification information related to the output system included in the output device object delivered from the output system to the one or more servers over the network ([0329]-[0330], *printer uses unique ID to communicate with the server*), and the device dependent output data further including an encryption scheme that includes security keys for ensuring security of the device dependent output data that is device specific to the output system for rendering ([0143] and [0330], *creating a public ID and signature key*);

- passing the device dependent output data from the information apparatus to the output controller included in the output system ([0293]-[0295], *user is authorized to use a specific printer using unique ID*);
- decoding the device dependent output data at the output controller included in the output system ([0453]-[0454], *using a JPEG decoder or Fax decoder*);
- decompressing the device dependent output data at the output controller included in the output system ([0453]-[0454], *page expansion*);
- delivering the device dependent or device specific output data from output controller to the output device included in the output system for rendering the digital content ([0293]-[0295]).

With respect to claim 133, Lapstun discloses means for receiving, from the information apparatus, one or more job objects having one or more attributes corresponding to an output job, including one or more of an output quality, instructions, a preference, and a pointer or reference to another job object ([0097]-[0101]).

With respect to claim 134, Lapstun discloses the output device object includes a pointer or a reference to the identification information related to the output device ([0097]-[0101]).

With respect to claim 136, Lapstun discloses the output device is a printer and the device dependent output data includes one or more of image data, graphics data, and text data ([0117]).

With respect to claim 137, Lapstun discloses the information apparatus is a wireless information apparatus and includes one or more of a palmtop computer, a handheld computer, a laptop computer, a personal digital assistant (PDA), a smart phone, a screen phone, an Internet pad, an Internet appliance, and a digital camera ([0080]).

With respect to claim 138, Lapstun discloses the payment subscription information is provided automatically by the information apparatus ([0361]).

With respect to claim 139, Lapstun discloses the payment information is provided through the information apparatus as entered by a user in response to a prompt to enter payment information ([0361]).

With respect to claim 140, Lapstun discloses the payment information includes service subscriber information corresponding to a pre-arranged subscription to a data output service system ([0361]).

With respect to claim 141, Lapstun discloses correlating the service subscriber information with a subscriber database that stores subscriber profiles with subscription payment information ([0361]).

With respect to claim 143, Lapstun discloses means for establishing a communication channel between the information apparatus and the server application, the communication channel including one or more of an Internet, a local area network, a cellular network, and a wide area network ([0012]).

With respect to claim 146, Lapstun discloses the output device decodes and decompresses the device dependent output data for rendering the output content ([0453]-[0454]).

With respect to claim 147, Lapstun discloses the means for generating device dependent output data at the server includes one or more of invoking, launching, calling, utilizing, and involving one or more applications ([0082]).

With respect to claim 151, Lapstun discloses the output device includes one or more of a display device, a projection device, a printing device, and an audio output device (Abstract)

With respect to claim 152, Lapstun discloses discovering an output device as one of one or more output devices that are discovered by the information apparatus as being available for rendering the output content ([0342]).

With respect to claim 153, Lapstun discloses decoding and decompressing the device dependent output data at the information apparatus subsequent to receiving the device dependent output data ([0453]-[0454]).

With respect to claim 160, Lapstun discloses sending payment information from the information apparatus to the one or more servers over the network as payment for the data output service ([0361]).

With respect to claim 165, Lapstun discloses delivering the device dependent output data to each selected output device for rendering of the digital content ([0293]-[0295]).

With respect to claim 168, Lapstun discloses obtaining an output device object at the information apparatus, the obtaining of the output device object including one or more of obtaining information from user input, from a communication with an output device, and from a default parameter or preference associated with the output system ([0294]).

With respect to claim 169, Lapstun discloses discovering an output device as one of one or more output devices that are discovered by the information apparatus as being available for rendering the digital content ([0342]).

With respect to claim 170, Lapstun discloses the output device is associated with the information apparatus and includes a direct wire connected between the information apparatus and the output device ([0446]).

With respect to claim 171, Lapstun discloses conforming at the information apparatus the device dependent output data into a form, format or language more suitable for rendering at an output device, the conforming including a decoding operation and an encoding operation ([0453]-[0454]).

With respect to claim 192, Lapstun discloses the one or more output device objects includes identification related to the one or more output devices, the identification including one or more of an output device brand, a model, a registration, and an IP address ([0387]).

With respect to claim 194, Lapstun discloses means for retrieving data content employing the document object ([0097]).

With respect to claim 195, Lapstun discloses the delivering the device dependent output data to the output device includes delivering the device dependent output data to an output controller connected to the output device ([0293]-[0295]).

With respect to claims 148-150, 154-159, 161-164, 166-167, 172-173, 176-178, 180-183, 187-191, 193, 195, and 197-200, the limitations of these claims are essentially similar to the limitations of the claims above. Claims 148-150, 154-159, 161-164, 166-167, 172-173, 176-178, 180-183, 187-191, 193, 195, and 197-200 are simply variations of similar subject matter found in the claims above. For this reason, claims 148-150, 154-159, 161-164, 166-167, 172-173, 176-178, 180-183, 187-191, 193, 195, and 197-200 are rejected for the same reasons as the claims above and will not be individually repeated.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 135, 142, 144-145, 174-175, 179, 184, 186, and 196 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lapstun et al. (US 2009/0094457 A1), in view of Kulakowski et al. (US 6,226,098 B1).

With respect to claim 135, Lapstun does not explicitly disclose the output device includes a display output control unit for displaying data the output content.

However, Kulakowski discloses the output device includes a display output control unit for displaying data the output content (Col. 10, lines 37-45, *printer includes display*);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lapstun with the teachings of Kulakowski to include a display on the output device, *because* it will provide for a visual user interface on the output device .

With respect to claim 142, Lapstun does not explicitly disclose the output device includes a television.

However, Kulakowski discloses the output device includes a display output control unit for displaying data the output content (Col. 11, lines 25-35);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lapstun with the teachings of Kulakowski to include a television, *because* it will allow for accommodation of more common user appliances.

With respect to claim 144, Lapstun discloses the device dependent output data includes audio data ([0139]). Lapstun does not explicitly disclose the output device is an audio output device.

However, Kulakowski discloses the output device is an audio output device (Col. 11, lines 25-35);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lapstun with the teachings of Kulakowski to include an audio device, *because* it will allow for accommodation of more common user appliances.

With respect to claim 145, Lapstun discloses the device dependent output data includes one or more of image data, audio data, and video data ([0139]). Lapstun does not explicitly disclose the output device is a display device.

However, Kulakowski discloses the output device is a display device (Col. 10, lines 37-45, *printer includes display*);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Lapstun with the teachings of Kulakowski to include a display on the output device, *because* it will provide for a visual user interface on the output device.

With respect to claims 174-175, 179, 184, 186, and 196, the limitations of these claims are essentially similar to the limitations of the claims above. Claims 174-175, 179, 184, 186, and 196 are simply variations of similar subject matter found in the claims above. For this reason, claims 174-175, 179, 184, 186, and 196 are rejected for the same reasons as the claims above and will not be individually repeated.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Esther Benoit whose telephone number is 571-270-3807. The examiner can normally be reached on Monday through Friday between 7:30 a.m and 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista M. Zele can be reached on 571-272-7288. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2453

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E.B.

August 31, 2011

/Krista M. Zele/

Supervisory Patent Examiner, Art Unit 2453